

MAY 11 2011

U.S. DISTRICT COURT  
W. DIST. OF N.C.

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION

UNITED STATES OF AMERICA,	)	CASE NO. DNCW109CR000102-1
	)	(Financial Litigation Unit)
v.	)	
	)	
WILLIAM TILLMAN,	)	
	)	
and	)	
	)	
THE TEACHERS' AND STATE EMPLOYEES'	)	
RETIREMENT SYSTEM OF N.C.	)	

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**CONSENT ORDER OF GARNISHMENT**

The parties, the United States of America, the defendant, William Tillman, by and through his properly appointed Power of Attorney, James R. Crafton, and the garnishee, The Teachers' and State Employees' Retirement System of N.C., agree and stipulate as follows:

1. The defendant is William Tillman, Social Security Number XXX-XX-7265, who is presently incarcerated. Tillman's last known address as provided by the U.S. Probation Office is currently: Henderson County Jail, 375 1<sup>st</sup> Avenue, East, Hendersonville, North Carolina 28792.
2. A criminal judgment was entered in matter wherein he was ordered to pay an assessment of \$400.00 and restitution in the amount of \$142,422.87. The parties agree and stipulate that the total balance due in this case is \$142,822.87, as of March 24, 2011.
3. The garnishee has in its possession, custody or control property of the defendant, namely funds located in accounts including but not limited to, accounts corresponding to Member ID xxx3199, in the name of William Tillman.



4. The defendant waives service of an application for a writ of continuing garnishment as required by 28 U.S.C. §3205, and further waives his right to a hearing or any other process to which the defendant may be entitled under said statute. Defendant further waives his right to a hearing or any other process to which the defendant may be entitled pursuant to 28 U.S.C. §3001, et. seq.

5. The garnishee waives service of an application for a writ of continuing garnishment as required by 28 U.S.C. §3205, and further waives its right to answer and waives being heard in this matter and any other process to which the garnishee may be entitled under 28 U.S.C. §3001, et. seq.

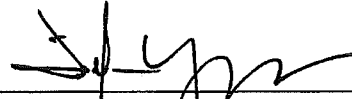
6. The defendant agrees and stipulates that the funds are subject to garnishment under 28 U.S.C. §3205 and expressly agrees and stipulates that the entry of a Consent Order in Garnishment is proper.

7. The parties agree and stipulate to the entry of a Consent Order of Continuing Garnishment against the funds of the defendant. It is expressly agreed and stipulated to by the parties that the garnishee pay the plaintiff 100% of the defendant's pension distribution and continue said payments until the debt to the plaintiff is paid in full or until the garnishee no longer has custody, possession or control of any property belonging to the defendant or until further Order of this Court. See 15 U.S.C. §1673(a).

8. The payments should be made payable to the United States Clerk of Court and mailed to the United States Clerk of Court, 401 West Trade Street, Charlotte, NC 28202. Defendant's name and Case No. DNCW109CR102 should be included as the payment reference.

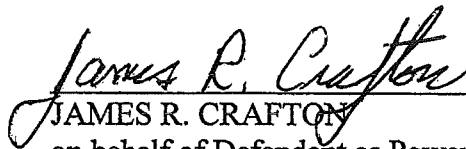
Respectfully submitted,

ANNE M. TOMPKINS  
UNITED STATES ATTORNEY

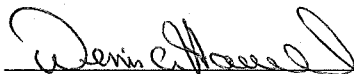
A handwritten signature in black ink, appearing to read 'J. Youngs', is written over a horizontal line.

JENNIFER A. YOUNGS  
ASSISTANT UNITED STATES ATTORNEY  
NCSB# 23925  
227 West Trade Street, Suite 1650  
Charlotte, NC 28202  
(704) 344-6222

Agreed and Consented to:

  
JAMES R. CRAFTON  
on behalf of Defendant as Power of Attorney

APPROVED AND SO ORDERED this the 11<sup>th</sup> day of May, 2011.

A handwritten signature in black ink, appearing to read "Dennis L. Howell", is written over a horizontal line.

Dennis L. Howell

United States Magistrate Judge